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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,991	12/06/2001	Yuuji Saiki	020606	3509
38834	7590	11/02/2006	EXAMINER	
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036			LAVARIAS, ARNEL C	
			ART UNIT	PAPER NUMBER
			2872	

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/015,991

Applicant(s)

SAIKI ET AL.

Examiner

Arnel C. Lavarias

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,9,10,17-20 and 22-28 is/are pending in the application.
- 4a) Of the above claim(s) 17-20 and 22-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,9,10,27 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. The Applicants' arguments, see in particular Pages 6-7 of the response, filed 9/14/06, with respect to the rejection(s) of Claim(s) 1-4, 9-10, 27-28 under 35 U.S.C. 103(a), have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found reference to Murata et al. (U.S. Patent No. 5886819).
2. Claims 1-4, 9-10, 27-28 are now rejected as follows.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1-3, 9-10, 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagahama et al. (WO00/44841), of record, in view of Murata et al. (U.S. Patent No. 5886819).

Nagahama et al. discloses an optical member (See Figure 7) in which a surface of an optical material (See 15, 16 in Figure 7) is bonded to and covered with a protective film (See 11, 12 or 14, 11 in Figure 7), wherein the protective film comprises a protective base and an adhesive layer disposed on the protective base so that the protective base can be

released together with the adhesive layer from the optical material (See Abstract; 11, 12 or 11, 14 in Figure 7). Nagahama et al. additionally discloses the protective film being disposed on one surface of the optical material (See for example 11, 12 in Figure 7), a separator being provided on an adhesive layer disposed on the other surface of the optical material (See 11, 14 in Figure 7) so that the separator can be released from the adhesive layer (See 17 in Figure 7), the optical material comprising a polarizing plate (See 16 in Figure 7), a liquid display having the optical member (See Abstract); the protective film thickness not being more than 300 μm (See for example Page 7 (Page 14 of translation of Nagahama et al.), as well as various disclosed examples of the protective film on Pages 17-27 (Pages 31-47 of the translation of Nagahama et al.)); and the protective film being a light-transmitting protective film (See Abstract; various examples disclosed).

Nagahama et al. does not explicitly disclose the protective film being transparent and having an outer surface roughness R_a of from 0.03 to 1 μm that does not substantially alter the transparent properties of the protective film. However, Murata et al. teaches a conventional surface protecting antiglare film for use in polarizing films (See for example Abstract of Murata et al.; Figures 1-2). In particular, Murata et al. teaches that the surface protective antiglare film includes a highly transparent substrate (See 11 in Figure 1; 21 in Figure 2; col. 3, lines 15-24), such as a PET or TAC film, that is adhered to a polarizing layer (See 24 in Figure 2; col. 5, line 53-col. 6, line 11). Further, Murata et al. teaches that an outer surface of the surface protective antiglare film may include a surface roughness R_a of 0.03-0.3 micron with a corresponding haze value of 1-25 (See col. 3, line 38-col. 4, line 21). These values are very much in the same order as that of the

instant application, and it is expected that the transparent properties of the protective antiglare film will not be significantly altered due to the presence of the surface roughness, as is the case for the instant application (See for example Applicants' declaration dated 4/29/05). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the protective film of Nagahama et al., be transparent and have an outer surface roughness Ra of from 0.03 to 1 μm that does not substantially alter the transparent properties of the protective film, as taught by Murata et al., to ease or simplify inspection of the underlying attached optical material (e.g. a polarizer element) due to a relatively higher contrast, while reducing or eliminating possible glittering effects during viewing.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagahama et al. in view of Murata et al. as applied to Claim 1 above, and further in view of Iwata et al. (U.S. Patent No. 6111699), of record.

Nagahama et al. in view of Murata et al. discloses the invention as set forth above in Claim 1, except for the optical material further including at least one of a retardation plate and a brightness enhancement plate. However, Iwata et al. discloses an optical member (See for example Figures 6B, 7, 11) in which an adhesive layer (See 34 of Figure 6B) is disposed on an outermost surface of an optical material (See 12 in Figure 6B) is provisionally bonded to and covered with a separator (See 36 in Figure 6B). Iwata et al. additionally discloses the separator being disposed on one surface of the optical material (See Figures 6B, 7), a protective film being provided on the other surface of the optical material (See 18, 32 in Figures 6B) having an outer surface roughness Ra of at least 0.03

μm (See Abstract; col. 5, lines 50-65), the optical material comprising a polarizing plate and at least one of a retardation plate and a brightness enhancement plate (See for example 42 in Figure 7; 42, 86 in Figure 11), and a liquid crystal display having the optical member (See for example col. 10, line 25-32). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the optical material further include at least one of a retardation plate and a brightness enhancement plate, as taught by Iwata et al., in the optical member of Nagahama et al. in view of Murata et al., for the purpose of reducing the cost and complexity of manufacturing the liquid crystal display panel.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arnel C. Lavarias whose telephone number is 571-272-2315. The examiner can normally be reached on M-F 9:30 AM - 6 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on 571-272-2312. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2872

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Arnel C. Lavarias
Primary Examiner
Group Art Unit 2872
10/31/06


ARNEL LAVARIAS
PRIMARY PATENT EXAMINER